

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION  
Honorable Edward J. Davila  
Courtroom 4 - 5th Floor**

**TITLE: *UNITED STATES v. RAMESH SUNNY BALWANI*  
CASE NUMBER: 5:18-CR-00258-2 EJD**

**Minute Order and Trial Log**

Date: April 1, 2022

Time in Court: 8:33-9:13 AM; 9:15-10:32 AM; 11:39 AM - 1:41 PM; 2:05-3:16 PM  
(TOTAL Time: 4 hrs, 10 min.)

Courtroom Deputy Clerk: Cheré Robinson  
Court Reporter: Irene Rodriguez

---

**APPEARANCES:**

Plaintiff Attorney(s) present: Jeffrey Schenk, John Bostic, Robert Leach  
Also present: Agent – Christopher McCollow  
Paralegals – Maddi Wachs; Sara Slattery

Defendant Attorney(s) present: Jeffrey Coopersmith, Amy Walsh, Stephen Cazares,  
Aaron Brecher, Molly McCafferty, Sachi Schuricht

Also present: Paralegal – Jennifer Cygnor  
Also present: Ramesh Sunny Balwani (out-of-custody)

---

**PROCEEDINGS:**

**Motion Hearing and Jury Trial (Day 12):**

**Motion Hearing** 40 min. [8:33-9:13 AM]

Hearing on 2022-03-31 [1384] Balwani Motion to Strike Improper Expert and Other Prohibited Testimony. Argument of Counsel heard. Court will not strike prior testimony as such testimony does not arise to 702 testimony.

**Jury Trial:** 3 hrs, 30 min. [9:15-10:32 AM; 11:39 AM - 1:41 PM; 2:05-3:16 PM]

Jury Trial held April 1, 2022. Testimony held and evidence entered.  
Further Jury Trial set for April 5, 2022, at 9:00 AM.

See attached Trial Log.

**The following exhibits were identified and offered:**

Plaintiffs: 1620, 5770, 1599

Defendants: 20478, 20418, 20258, 20282, 3526, 1513, 5545, 7440, 20279, 20281, 20254

**The following exhibits are admitted into evidence:**

Plaintiffs: 1620, 5770

Defendants: 20478, 20258, 20282, 1513, 5545, 7440, 20281, 20254

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**HONORABLE EDWARD J. DAVILA**

**Case Name: *United States v. Ramesh Sunny Balwani*  
Case No: 5:18- CR-00258-2 EJD**

**TRIAL LOG**

<b>TRIAL DATE: April 1, 2022</b>			<b>REPORTER(S):</b> Irene Rodriguez	<b>CLERK:</b> Chéré Robinson
PLF	DEFT	TIME	DESCRIPTION	
		9:15 am	Jury enters Courtroom	
		9:21 am	Court in session; Jury present	
		9:22 am	Court addresses Jury re previous admonishment	
		9:23 am	Witness #2 takes stand – Dr. Mark William Pandori testimony Continues	
Ex. 1620	Obj.	9:30 am	ADMITTED into Evidence – Mar. 2014 Email String re Update: Week ending 3/16	
Ex. 5770		9:35 am	ADMITTED into Evidence – 4/8/2014 Email String re Quick Question on disclosing information on PT testing	
Ex. 1599	Obj.	9:38 am	OFFERED.	
		9:39 am	Further foundation to be laid	
Ex. 1599	Obj.	9:41 am	OFFERED.	
			Sustained as to the document itself. No Admission.	
		10:02	Cross-examination by defense	
	Ex. 20478	10:07 am	ADMITTED into Evidence – Oct. 2013 Email String re Welcome to Theranos	
		10:32 am	Court breaks for 67 minutes	
		11:39 am	Court in session out of presence of Jury	
			Witness #2 – Dr. Mark Pandori departs courtroom	
			Court and counsel conduct housekeeping matters related to	
		11:48	Jury returns	

<b>TRIAL DATE: April 1, 2022</b>			<b>REPORTER(S):</b> Irene Rodriguez	<b>CLERK:</b> Chéré Robinson
PLF	DEFT	TIME	DESCRIPTION	
			Witness #2 – Dr. Pandori takes the stand; testimony continues	
		11:56 am	Ex. 9939 – Previously conditionally admitted into Evidence on the basis that future witness will authenticate – Theranos Standard Operating Procedure -CLIA Laboratory dated 11/26/2013	
Obj.	Ex. 20418	12:10 pm	OFFERED. CLSI Guidelines	
		12:11 pm	Reserved to address later	
	Ex. 20258	12:57	ADMITTED into Evidence – 2/25/2014 Email Chain re Parallel testing of VitD, TSH, PSA and FT4	
	Ex. 20282	1:03 pm	ADMITTED into Evidence - Feb. 2014 Email String re FYI (accreditation by CAP – auditors could be from competitor companies)	
Obj.	Ex. 3526	1:08 pm	OFFERED.	
			Further foundation to be laid	
Obj.	Ex. 3526	1:11 pm	Re-OFFERED.	
			Sustained.	
	Ex. 1513	1:13 pm	ADMITTED into Evidence – Jan-Feb 2014 Email String re ADVIA 1	
Obj.	Ex. 5545	1:19 pm	OFFERED.	
			Further foundation laid	
	Ex. 5545	1:21 pm	ADMITTED into Evidence – 2014-05-08 Edlin Email re Updated PT/Audit Renewals since 3/18 (redacted and no attachments)	
		1:41 pm	Court breaks for 26 minutes	
		2:05 pm	Jury present; Witness #2 Dr. Pandori present and on stand	
			Court in session.	
	Ex. 7440	2:08 pm	ADMITTED into Evidence - April 2014 Email String re slides pt, aap (and attachment: aa ppt th mwp v1.pptx: Proficiency Testing & Quality Assessment of Theranos Methods)	
Obj.	Ex. 20279	2:22 pm	OFFERED. Email to Rosendorf - Transition Report 5/30/2014 and attachment Memo M W Pandori re topics in clinical laboratory	
			Sustained.	

<b>TRIAL DATE: April 1, 2022</b>			<b>REPORTER(S):</b> Irene Rodriguez	<b>CLERK:</b> Chéré Robinson
PLF	DEFT	TIME	DESCRIPTION	
Obj.	Ex. 20281	2:27 pm	ADMITTED into Evidence – 5/30/2014 Pandori/Rosendorf Email String re transition report.	
Obj.	Ex. 20279		Re-Offered.	
			Sustained - authentication	
Obj	Ex. 20279	2:31 pm	Re-Offered	
			Sustained.	
Obj.	Ex. 20254	2:37 pm	ADMITTED into Evidence – 2014-01-29 Balwani/Pandori Email String re processes around samples and results	
		2:40 pm	Side-Bar Discussion	
		2:44 pm	Side-Bar ends	
		2:46 pm	Court admonishes Jury	
			Jury exits Courtroom	
			Witness exits Courtroom	
		2:47 pm	Court in session out of presence of Jurors and witnesses	
		3:16 pm	Court adjourns	
			Jury Trial Continued to April 5, 2022, at 9:00 AM	